

Protonotaria citrea. PROTHONOTARY WARBLER.—One was seen in some bushes in Lake Wisconsin above Merrimac. About five miles above the Spring Green bridge in a low heavily wooded spot, the characteristic sharp "tehip" of this species was heard. This bird was evidently looking for a nesting site as it flitted restlessly from tree to tree finally entering an old woodpecker's hole in a stub. The nest was empty. Another bird was seen feeding in a mass of driftwood at the river's edge.

Polioptila cærulea cærulea. BLUEGRAY GNATCATCHER.—Only two birds were met with; one about ten miles above Portage, and the other five miles above the Spring Green bridge.

Cardinalis cardinalis cardinalis. CARDINAL.—The first bird was heard singing about a mile below the Spring Green bridge. From this point on to the Mississippi it was fairly common.

Myiarchus crinitus. CRESTED FLYCATCHER.—One of the commonest birds along the river.

Thryothorus ludovicianus ludovicianus. CAROLINA WREN.—A single bird was heard singing about a mile from the Mississippi.

Tyrannus tyrannus. KINGBIRD.—On several occasions nests of this species were found on the lakes in northern Wisconsin, built in trees overhanging the water. I then thought that these open situations might have been selected to facilitate the hunting of insects. On the Wisconsin, three nests were found about three miles above Prairie du Sac in small trees standing in the water, one nest with two eggs being only eighteen inches above the water. At this place open fields came nearly to the water's edge. It accordingly appeared to me that occasionally at least, the Kingbird shows a decided preference for the vicinity of water. Only one reference on this subject has been found, although it is true that I have not made a thorough search of the literature: Barrows, in his 'Birds of Michigan', quotes Cheney on the Hamilton Lake region as follows: "This species might be considered almost aquatic in its nesting habits, as the nests were invariably placed in stumps projecting out of the water, often at a considerable distance from shore." — A. W. SCHORGER, *Madison, Wisconsin*.

Abundance of Periodical Cicadas, Diverting Attacks of Birds from Cultivated Fruits.—Before the ripening season of cherries this year, Mr. Hugh Wallis, restaurateur of Washington, D. C. reminded a colored employee that the time for screening the cherry trees was approaching. "No boss," was the reply "no need fo' dat dis yeah. 'De locus is comin'." Subsequent events proved the accuracy of this prophecy and suggested an inquiry into experience elsewhere in this regard. Only three replies were received from localities where the periodical cicada was really abundant, all of which testify to decreased bird damages. Mr. W. A. Taylor, Chief of the Bureau of Plant Industry, Washington, D. C. writes: "I have been watching with some interest a few raspberry bushes in my garden in the northern edge of the city not far from a piece of woodland in which the cicadas are abundant. It has seemed to me that the Catbirds and Robins which during

the past two or three years have devoted much time to raspberries have hardly touched them this season." J. L. Cowgill of West Falls Church, Va. states that he has noted "very little damage from birds this year on small fruits in the neighborhood. Two years ago, the birds destroyed a great many early cherries; this year practically no damage could be seen." Charles R. Posey of Baltimore writes: "the only fruit which I had an opportunity of observing during the visitation of the locusts was cherries, and I believe these to have practically entirely escaped damage by birds. The locusts were excessively abundant."

These observations give further support to a conclusion reached by most students of economic ornithology, that birds almost invariably specialize on the most abundant or most easily accessible food supply. This trait leads to destructiveness when the abundant food supply is a cultivated fruit or grain, as well as to usefulness when it is an injurious insect, or as in the present case, where the effect is diversion of attack from cultivated crops to an abundant insect of no decided economic significance one way or the other. — W. L. McATEE, U. S. *Biological Survey, Washington, D. C.*

Nomenclatural Casuistry.— Human laws in their origin and application rest upon a foundation of common sense, and what is true of jurisprudence is equally true of nomenclature. Its laws, canons or rules must meet the approval of the majority of the few who frame them and use them or they will fail in their purpose. Now and then they suffer through a strained interpretation and it is a case of this sort to which attention is here drawn because it threatens to open wide the door to all kinds of nomenclatural casuistry.

Recently, a western race of the Red-headed Woodpecker has been described (Oberholser, *Canadian Field-Nat.* XXXIII, September 1919, pp. 48-50). Whether the race is worthy of recognition need not now concern us, but a name has been selected that was used purely inadvertently in a local list. Even the describer admits this for he begins by saying: "The name *Melanerpes erythrophthalmus* is apparently a lapsus calami for *Melanerpes erythrocephalus* and there is no other evidence that the author intended to describe a new species or subspecies. The name *Melanerpes erythrophthalmus* does not occur in the index but the species is duly entered there as *Melanerpes erythrocephalus*." Farther quotation and farther comment would seem superfluous for Article 19 of the International Rules of Nomenclature is applicable both in the spirit and in the letter. Here is a very obvious *lapsus calami* according to contemporaneous evidence whether the slip be of the pen or of the brain that directed the pen. We all have such slips and perhaps Art. 19 is designated to protect frail humanity. To put another construction upon this case is to make a plaything of nomenclature and set us wondering how far its rules may be twisted into producing fantastic results. Let it not be forgotten that we need a safe and sane nomenclature.— JONATHAN DWIGHT, M. D., 34 E. 70th St., New York City.